

104TH CONGRESS
1ST SESSION

H. R. 2017

AN ACT

To authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

JULY 31 (legislative day, JULY 10), 1995

Received; read twice and placed on the calendar

Calendar No. 161

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IN THE SENATE OF THE UNITED STATES

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AN ACT

To authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “District of Columbia
5 Emergency Highway Relief Act”.

1 **SEC. 2. DISTRICT OF COLUMBIA EMERGENCY HIGHWAY**
2 **RELIEF.**

3 (a) TEMPORARY WAIVER OF NON-FEDERAL
4 SHARE.—Notwithstanding any other law, during fiscal
5 years 1995 and 1996, the Federal share of the costs of
6 an eligible project shall be a percentage requested by the
7 District of Columbia, but not to exceed 100 percent of the
8 costs of the project.

9 (b) ELIGIBLE PROJECTS.—In this section, the term
10 “eligible project” means a highway project in the District
11 of Columbia—

12 (1) for which the United States—

13 (A) is obligated to pay the Federal share
14 of the costs of the project under title 23,
15 United States Code, on the date of enactment
16 of this Act; or

17 (B) becomes obligated to pay the Federal
18 share of the costs of the project under title 23,
19 United States Code, during the period begin-
20 ning on the date of the enactment of this Act
21 and ending September 30, 1996;

22 (2) which is—

23 (A) for a route proposed for inclusion on
24 or designated as part of the National Highway
25 System; or

1 (B) of regional significance (as determined
2 by the Secretary of Transportation); and
3 (3) with respect to which the District of Colum-
4 bia certifies that sufficient funds are not available to
5 pay the non-Federal share of the costs of the
6 project.

7 **SEC. 3. DEDICATED HIGHWAY FUND AND REPAYMENT OF**
8 **TEMPORARY WAIVER AMOUNTS.**

9 (a) ESTABLISHMENT OF FUND.—Not later than De-
10 cember 31, 1995, the District of Columbia shall establish
11 a dedicated highway fund to be comprised, at a minimum,
12 of amounts equivalent to receipts from motor fuel taxes
13 and, if necessary, motor vehicle taxes and fees collected
14 by the District of Columbia to pay in accordance with this
15 section the cost-sharing requirements established under
16 title 23, United States Code, and to repay the United
17 States for increased Federal shares of eligible projects
18 paid pursuant to section 2(a). The fund shall be separate
19 from the general fund of the District of Columbia.

20 (b) PAYMENT OF NON-FEDERAL SHARE.—For fiscal
21 year 1997 and each fiscal year thereafter, amounts in the
22 fund shall be sufficient to pay, at a minimum, the cost-
23 sharing requirements established under title 23, United
24 States Code, for such fiscal year.

25 (c) REPAYMENT REQUIREMENTS.—

1 (1) FISCAL YEAR 1996.—By September 30,
2 1996, the District of Columbia shall pay to the
3 United States from amounts in the fund established
4 under subsection (a), with respect to each project for
5 which an increased Federal share is paid in fiscal
6 year 1995 pursuant to section 2(a), an amount
7 equal to 50 percent of the difference between—

8 (A) the amount of the costs of the project
9 paid by the United States in such fiscal year
10 pursuant to section 2(a); and

11 (B) the amount of the costs of the project
12 that would have been paid by the United States
13 but for section 2(a).

14 (2) FISCAL YEAR 1997.—By September 30,
15 1997, the District of Columbia shall pay to the
16 United States from amounts in the fund established
17 under subsection (a), with respect to each project for
18 which an increased Federal share is paid in fiscal
19 year 1995 pursuant to section 2(a) and with respect
20 to each project for which an increased Federal share
21 is paid in fiscal year 1996 pursuant to section 2(a),
22 an amount equal to 50 percent of the difference be-
23 tween—

1 (A) the amount of the costs of the project
2 paid in such fiscal year by the United States
3 pursuant to section 2(a); and

4 (B) the amount of the costs of the project
5 that would have been paid by the United States
6 but for section 2(a).

7 (3) FISCAL YEAR 1998.—By September 30,
8 1998, the District of Columbia shall pay to the
9 United States from amounts in the fund established
10 under subsection (a), with respect to each project for
11 which an increased Federal share is paid in fiscal
12 year 1996 pursuant to section 2(a), an amount
13 equal to 50 percent of the difference between—

14 (A) the amount of the costs of the project
15 paid in such fiscal year by the United States
16 pursuant to section 2(a); and

17 (B) the amount of the costs of the project
18 that would have been paid by the United States
19 but for section 2(a).

20 (4) DEPOSIT OF REPAID FUNDS.—Repayments
21 made under paragraphs (1), (2), and (3) with re-
22 spect to a project shall be—

23 (A) deposited in the Highway Trust Fund
24 established by section 9503 of the Internal Rev-
25 enue Code of 1986; and

1 (B) credited to the appropriate account of
2 the District of Columbia for the category of the
3 project.

4 (d) ENFORCEMENT.—If the District of Columbia
5 does not meet any requirement established by subsection
6 (a), (b), or (c) and applicable in a fiscal year, the Sec-
7 retary of Transportation shall not approve any highway
8 project in the District of Columbia under title 23, United
9 States Code, until the requirement is met.

10 (e) GAO AUDIT.—Not later than December 31,
11 1996, and each December 31 thereafter, the Comptroller
12 General of the United States shall audit the financial con-
13 dition and the operations of the fund established under
14 this section and shall submit to Congress a report on the
15 results of such audit and on the financial condition and
16 the results of the operation of the fund during the preced-
17 ing fiscal year and on the expected condition and oper-
18 ations of the fund during the next 5 fiscal years.

19 **SEC. 4. ADDITIONAL REQUIREMENTS.**

20 (a) EXPEDITIOUS PROCESSING AND EXECUTION OF
21 CONTRACTS.—The District of Columbia shall expedi-
22 tiously process and execute contracts to implement the
23 Federal-aid highway program in the District of Columbia.

24 (b) REVOLVING FUND ACCOUNT.—The District of
25 Columbia shall establish an independent revolving fund ac-

1 count for Federal-aid highway projects. The account shall
2 be separate from the capital account of the Department
3 of Public Works of the District of Columbia and shall be
4 reserved for the prompt payment of contractors complet-
5 ing highway projects in the District of Columbia under
6 title 23, United States Code.

7 (c) HIGHWAY PROJECT EXPERTISE AND RE-
8 SOURCES.—The District of Columbia shall ensure that
9 necessary expertise and resources are available for plan-
10 ning, design, and construction of Federal-aid highway
11 projects in the District of Columbia.

12 (d) PROGRAMMATIC REFORMS.—The Secretary of
13 Transportation, in consultation with the District of Co-
14 lumbia Financial Responsibility and Management Assist-
15 ance Authority, may require administrative and pro-
16 grammatic reforms by the District of Columbia to ensure
17 efficient management of the Federal-aid highway program
18 in the District of Columbia.

19 (e) GAO AUDIT.—The Comptroller General of the
20 United States shall review implementation of the require-
21 ments of this section (including requirements imposed
22 under subsection (d)) and report to Congress on the re-
23 sults of such review not later than July 1, 1996.

Passed the House of Representatives July 31, 1995.

Attest:

ROBIN H. CARLE,

Clerk.